

Sponsor: \_\_\_\_\_  
First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 395-24 OF THE BETHANY BEACH TOWN CODE TO REQUIRE GENERAL CONTRACTORS TO PROVIDE NOTICE REGARDING PILE DRIVING TO PROPERTY OWNERS WITHIN 200 FEET AS A CONDITION OF OBTAINING A BUILDING PERMIT AND ADDING SECTION 395-24A TO CHAPTER 1, GENERAL PROVISIONS, ARTICLE 1, PENALTIES**

**WHEREAS**, the Town Council of the Town of Bethany Beach desires to amend Section 395-24 (Installation Restricted) of the Town Code by adding language to require general contractors to provide written notice regarding pile driving to property owners within 200 feet of the installation site at least fourteen (14) calendar days in advance, and provide proof of mailing satisfactory to the Town Building Inspector in order to obtain building permit;

**WHEREAS**, the purpose of this amendment is to give nearby property owners sufficient notice so that they may inspect their properties and, if they wish, document conditions (of walls and other features) with dated photographs, video or other proof of existing conditions; and take appropriate steps to ensure that personal property is secured and safe from vibration damage.

**BE IT HEREBY ENACTED** by the Town Council of the Town of Bethany Beach, a majority thereof concurring in Council duly met, that the Town Code be and hereby is amended as follows (deletions are crossed out and additions are underlined):

- A. Installation of piling of any type, ~~by driving or washing~~ by any means, is prohibited from June 15 to September 30, inclusive, of any year except as certified, in writing, by the Town Council of Bethany Beach as necessary to protect public property.
- B. Prior to commencement of work to install piles, the general contractor shall notify the owners of all properties within 200 feet of the site on which the piles will be installed. Notifications shall be made on the form provided by the Town Building Inspector and shall be forwarded in writing, by certified mail to the mailing address of record, at least fourteen (14) calendar days prior to the commencement date of the pile installation. A building permit shall not be issued until proof of mailing satisfactory to the Building Inspector is provided.

That Section 395-24A be added to Chapter 1, General Provisions, Article 1, Penalties as follows (addition underlined):

§ 395-28      Permits:  
  
                  § 395-22, 395-23 and 395-24 A:

**Effective Date.** These amendments shall be effective on the date of Council approval.

